

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22163 of 2019

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Puja Khowa Bhandar through its Proprietor Sri Virendra Kumar Singh, Male,
Aged about 51 Years, Son of Late Ramsubhag Singh Dr. Mukherjee Colony,
Lah Bazar, Chhapra, P.S. Chhapra Town, District- Saran (Bihar).

... .. Petitioner/s

Versus

1. Syndicate Bank through its Chairman Cum Managing Director, Corporate Office Door No. 16/355 and 16/365A, Manipal, Udupi Pin Code- 576104 (Karnataka).
2. The Regional Manager, Syndicate Bank, Regional Office, Muzaffarpur, District- Muzaffarpur (Bihar).
3. The Senior Manager, Syndicate Bank, Chapra Branch, B.P. Medicine Complex, Srinandan Road, Municipal Chowk, Chhapra, District- Saran (Bihar).
4. Branch Manager, Syndicate Bank, Chapra Branch, B.P. Medicine Complex, Srinandan Road, Municipal Chowk, Chhapra, District- Saran (Bihar).
5. Authorized Officer, Syndicate Bank, Regional Office, Muzaffarpur, District- Muzaffarpur (Bihar).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate
For the Respondent/s : Mr. Siddharth Harsh, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 02-01-2023 Petitioner has prayed for the following relief(s):

“ i. For issuance of writ in the nature
of certiorari for quashing the Notice as contained
in Ref. No. 105745 dated 06.09.2019 issued under
the signature of Authorized Officer, Syndicate
Bank, Regional Office, Muzaffarpur, Ref. No.
105745 whereby and whereunder the Petitioner
has been called upon to discharge in full his



liabilities within a period of 60 days of the date of Notice for payment of outstanding liability of an amount of Rs.25,49,704 90 (Rupees Twenty Five Lacs Forty Nine Thousand Seven Hundred Four and Paise Ninety only) clearing the Over Draft Account No. 75501400000455 to be Non Performing Assets (hereinafter referred to as the "NPA") on 23.05.2019 without giving any Notice to the Petitioner and the Petitioner has received this Notice when the Petitioner visited the Bank, from the Bank on 18.09.2019 when the Notice has been shown to be issued on 06.09 2019 in most illegal and arbitrary manner as also contravention the provision of the Section 13 (2) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest, Act, 2002 (hereinafter referred to as the "SARFAESI Act").

ii For directing the Respondents to accept the proposal of the Petitioner is that the Petitioner is ready to deposit the real Loan Amount with Interest which not known to the Petitioner in Monthly Equally Installment as Rs.20,000/- to Rs.25,000/- per month or as directed by this Hon'ble Court.

iii. For issuance of any other appropriate writ, order or direction which your Lordships may deem fit and proper in the facts and circumstances of the case.”



Learned counsel for the petitioner seeks permission
to withdraw the present petition.

Permission granted.

Present petition stands disposed of as withdrawn.

Interlocutory Application(s), if any, shall stand
disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Saurabh/K.C.Jha

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